

FILED

DECEMBER 5, 2005

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY
DEPARTMENT OF LAW &
PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF

KATHERINE A. O'HANLAN, M.D.
License No. MA45955

TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSEY

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:
: Administrative Action
:
: FINAL ORDER
: OF DISCIPLINE
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This matter was opened to the New Jersey State Board of Medical Examiners upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent, Katherine A. O'Hanlan, M.D., is the holder of License No. MA45955 and was licensed to practice medicine and surgery in the State of New Jersey from 1985 until 1987 after which time Respondent permitted that license to lapse.

2. On or about July 9, 2004, the Medical Board of California ("California Board") filed an Accusation charging Respondent with the commission of dishonest and/or corrupt acts and/or unprofessional conduct. On or about March 24, 2005, the Medical Board filed a Decision adopting the Stipulation for Settlement executed by Respondent on February 23, 2005. Pursuant to the Stipulation for Settlement, Respondent "admits that the charges and allegations contained in the Accusation are substantially true and

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constitute a basis for imposing discipline upon her physician's and surgeon's certificate under Business and Professions Code section 2234(e)." By entry of the Decision Respondent's physician's and surgeon's certificate is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years under specific terms and conditions. As part of the probation, Respondent is suspended from the practice of medicine for a period of thirty (30) days commencing June 11, 2005. In addition, Respondent is to undergo and continue psychotherapy treatment, once every other week for the first year of probation. Respondent is also ordered to complete twenty (20) hours of an educational program or course aimed at correcting any areas of deficient practice or knowledge per year on probation, as well as a course in ethics. Respondent shall reimburse the Division of Medical Quality the amount of ten thousand dollars (\$10,000) for a portion of the investigative and prosecution costs.

CONCLUSION OF LAW

1. The above disciplinary action taken by the sister state of California provides grounds to take disciplinary action against Respondent's license to practice medicine and surgery in New Jersey pursuant to N.J.S.A. 45:1-21(g), in that Respondent's license has been revoked or suspended in another state.

2. The above disciplinary action taken by the sister state of California provides grounds to take disciplinary action against Respondent's license to practice medicine and surgery in New Jersey pursuant to N.J.S.A. 45:1-21(b), in that Respondent has engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense.

3. The above disciplinary action taken by the sister state of California provides grounds to take disciplinary action against Respondent's license to practice medicine and surgery in New Jersey pursuant to N.J.S.A. 45:1-21(e), in that Respondent has engaged in professional or occupational misconduct.

4. Respondent's failure to submit her biennial renewal in 1987 resulting in a lapsed license status provides grounds to automatically suspend Respondent's license to practice medicine and surgery in the State of New Jersey pursuant to N.J.S.A. 45:1-7.1(b).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending Respondent's license to practice medicine and surgery in the State of New Jersey was entered on July 14, 2005 and a copy was forwarded to Respondent at the last known address on file with the Board. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a

modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Respondent responded and requested the Board to consider the circumstances involved in the California action and set aside the Provisional Order of Discipline to allow her only to serve the disciplinary action imposed by the California Board. Respondent, who is a sub-specialist in gynecologic oncology, explained that she made an error in judgment out of compassion in responding to a request from a dying patient. In her response, Respondent acknowledged that she was not forthright during the investigation by the Stanford Hospital medical staff committee and the Medical Executive Committee because she was frightened and feared criminal prosecution. She further explained that although she loved her practice at Stanford Hospital, she could not foresee overcoming the challenge of separating herself from the incident and decided it was in her best interest to resolve her conflict with the medical staff by resigning.

Moreover, Respondent stated that she fully cooperated with the California Board's investigation. Respondent indicated that

she is in compliance with the terms of the Stipulation and Agreement issued by the California Board in that she has served the 30-day period of active suspension and her license is currently on probation for three (3) years. She also reported having completed more than ten (10) hours of course work in "palliative care" and is continuing in psychotherapy pursuant to the terms of the California Board agreement. Respondent further explained that in nineteen (19) years of working in her sub-specialty cancer surgical practice, she has had no other incident. Respondent also stated that she has learned much from this event and "could not possibly repeat such an error."

Respondent's submissions were reviewed by the Board, and the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the Findings of Fact or Conclusions of Law.

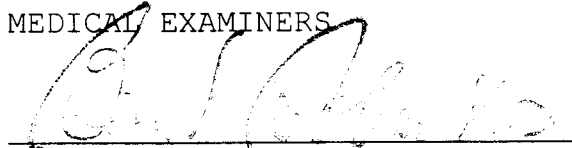
ACCORDINGLY, IT IS on this 5TH day of December, 2005,
ORDERED AND AGREED THAT:

1. Respondent's license to practice medicine and surgery in the State of New Jersey is suspended until such time as Respondent's license to practice medicine in the State of California is fully reinstated without any restrictions.

2. Prior to resuming active practice in New Jersey, Respondent shall be required to appear before the Board or a committee thereof, to demonstrate fitness to resume practice, to show that Respondent has satisfied all requirements of any California disposition and is reinstated to the practice of medicine in that State. Any practice in this State prior to reinstatement shall constitute grounds for the charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on Respondent's practice should Respondent's license be reinstated.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By:


Bernard Robins, M.D., F.A.C.P.
Board President